

### C.C.R.B CASE CLOSING FORM

Investigator assigned: Charkalis		Team: 2	CCRB#: 9902856	<input type="checkbox"/> Force <input checked="" type="checkbox"/> Discourtesy <input checked="" type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury
Date of incident: 6/15/99	Time of incident: 3:00 PM	Location of incident: § 87(2)(b) [REDACTED] § 87(2)(b) [REDACTED]	Pct. of occurrence: 052	Date S.O.L. Expires: 12/15/00
Date reported: 6/21/99	Time reported: 4:30 PM	To whom/where/how reported: Complaint filed in person at the 052 Precinct		
Complainant: § 87(2)(b) [REDACTED]		Home address: § 87(2)(b) [REDACTED] § 87(2)(b) [REDACTED]		
Victim(s): § 87(2)(b) [REDACTED]		Home address: § 87(2)(b) [REDACTED]		
Witness(es):		Home address:		
Subject officer(s) (include rank): PO Brian Mullen PO Robert Spies		Shield: 23919 24391	Tax: 906885 907382	Command: 052 052
Witness officer(s) (include rank):		Shield:	Tax:	Command:
Allegation(s) by letter: A) PO Mullen was discourteous towards § 87(2)(b) [REDACTED] when he told the complainant to, "Shut-up ...," in violation of Patrol Guide procedure 104-01. B) PO Spies abused his authority when he refused to provide his shield number, in violation of Patrol Guide procedure 104-01.				Recommendation(s): § 87(2)(g) [REDACTED] § 87(2)(g) [REDACTED]

### Synopsis

This case, which was reassigned from Investigator Serrano, is § 87(2)(g) [REDACTED]. In order to schedule an interview, Investigator Serrano made six phone calls, and sent one letter to the complainant. After the case was reassigned, this investigator continued the attempts, and made two additional telephone calls to the complainant, and two to the victim; a letter was also sent to the victim. The complainant returned one of the calls, and asked that his case be placed on a temporary hold; he stated that he would call me back on a specified date to schedule an appointment. Contact was also made (by phone) with the victim, but she also refused to commit to an interview date at that time. As of the date of this report, neither the complainant nor the victim has contacted C.C.R.B. to schedule an appointment.

### Summary of Complaint

The victim, § 87(2)(b) § 87(2)(b) stated that on the date and time of occurrence, in the vicinity of § 87(2)(b) in the Bronx, PO Brian Mullen of the 052 command told the complainant/victim, § 87(2)(b) § 87(2)(b) to “shut-up.” In response the officer’s discourtesy, § 87(2)(b) asked PO Mullen’s partner (PO Robert Spies) for his shield number. The officer refused her request. Additionally, § 87(2)(b) § 87(2)(b) stated that sometime in October (the year is unspecified), the above subject officers failed to make an arrest, or to file an accident report when her husband was struck by a vehicle.

### Results of Investigation

Former Investigator Serrano, who was originally assigned to § 87(2)(b) § 87(2)(b)’s case, had made seven (unsuccessful) phone calls to the complainant from June 22 – July 28 (1999), in attempt to schedule him for an appointment with C.C.R.B. On July 6, § 87(2)(b) § 87(2)(b) returned a call (via voicemail) to Investigator Serrano, indicating that he was not interested in mediation (an option that was apparently offered to him by Investigator Serrano), and wanted a full investigation. Investigator Serrano called § 87(2)(b) § 87(2)(b) two additional times in attempt to schedule him for an interview, but the complainant did not return the call. The case was subsequently assigned to this investigator (Charkalis).

On September 9, 1999, I (Investigator Charkalis) called the complainant at home. At that time, I spoke with § 87(2)(b) § 87(2)(b) who showed interest in mediating his case. § 87(2)(b) § 87(2)(b) asked if his case could be put on hold until this meeting. § 87(2)(b) § 87(2)(b) said § 87(2)(b) § 87(2)(b) he would call me no later than September 21 to inform C.C.R.B. of his decision, which he stated would either be mediation or a withdrawal.

By September 23, the complainant had not called C.C.R.B. with his decision. On the same date, I called the victim, § 87(2)(b) § 87(2)(b) at the number listed on the complaint form, to see if she would be interested in pursuing the case on § 87(2)(b) § 87(2)(b) behalf. § 87(2)(b), § 87(2)(g) § 87(2)(b) § 87(2)(b) expressed her dissatisfaction with a C.C.R.B. case she filed four years ago. § 87(2)(b) § 87(2)(b) further stated that she has no confidence in the C.C.R.B., and that she “[does] not believe in letting the geese out to the dogs to be slaughtered.”

§ 87(2)(b) § 87(2)(b) said that before making a commitment, she would have to speak with the complainant, § 87(2)(b) § 87(2)(b) § 87(2)(b) asked for my telephone number, and said that she would call me back later today with her decision. By the end of the day (on September 23), § 87(2)(b) § 87(2)(b) had not returned the phone call, and a letter was sent to her home address. A C.C.R.B. check for past complaints involving the subject officers, § 87(2)(b) § 87(2)(b) and/or § 87(2)(b) § 87(2)(b) was negative. However, § 87(2)(b) § 87(2)(b) has made three prior C.C.R.B. complaints in the past.

On the same date (September 23), I received a phone call from the complainant, § 87(2)(b) § 87(2)(b). I asked § 87(2)(b) § 87(2)(b) if he had spoken with § 87(2)(b) § 87(2)(b) and he claimed that he had not, but said that she left a message on his answering machine (today) pertaining to the complaint. § 87(2)(b) § 87(2)(b) stated that the community meeting with the captain took place on § 87(2)(b) § 87(2)(b) (as opposed to the initial date of § 87(2)(b) § 87(2)(b)). § 87(2)(b) § 87(2)(b) stated that because of Hurricane Floyd (which effected the greater New York area on September 16), the meeting had been rescheduled for § 87(2)(b) § 87(2)(b). However, § 87(2)(b) § 87(2)(b) said that he was calling to request a full investigation, and was no longer interested in mediation.

At that time, I attempted to schedule an interview with § 87(2)(b) § 87(2)(b) but he said that he could not commit to a date

without first speaking with § 87(2)(b) § 87(2)(b) § 87(2)(b) stated that he would call me no later than September 27 (regardless of whether or not he was able to make contact with § 87(2)(b) § 87(2)(b) to schedule an appointment for himself.

### Conclusions and Recommendations

As of the date of this report, neither § 87(2)(b) § 87(2)(b) nor § 87(2)(b) § 87(2)(b) has contacted C.C.R.B. to schedule an appointment. Several attempts were made to contact the complainant, § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Investigator:

*[Signature]*

Date:

9-29-99

Supervisor:

*[Signature]*

Date:

9/30/99

Reviewed by:

*[Signature]*

Date:

9/30/99

Reviewed by:

Date: